

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

LEGACY CAPITAL LTD.,

Defendant.

Adv. Pro. No. 10-05286 (SMB)

**ORDER PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 12(c), AS
INCORPORATED BY FEDERAL RULE OF BANKRUPTCY PROCEDURE 7012,
GRANTING THE TRUSTEE'S MOTION FOR JUDGMENT ON THE PLEADINGS**

Upon the motion dated September 7, 2016 of Irving H. Picard (the "Trustee"), as Trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa-III, and the substantively consolidated estate of Bernard L. Madoff, seeking entry of an order, pursuant to Federal Rule of Civil Procedure 12(c), as incorporated in this proceeding by Federal Rule of Bankruptcy Procedure 7012, granting the Trustee's Motion for Judgment on the Pleadings ("Motion"); and the Court having considered the

Memorandum of Law in Support of the Trustee's Motion, the Reply Memorandum in Further Support of the Motion, the Declaration of Oren J. Warshavsky and exhibits thereto; and any objections to the Motion; and due notice of the Motion having been given; and the Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and upon the proceedings before the Court and after due deliberation, it is hereby

ORDERED THAT:

1. The Trustee's Motion is granted; and
2. Judgment on the pleadings with respect to Count 1 of the Amended Complaint is entered in favor of the Trustee.

Dated: New York, New York

_____, 20__

HONORABLE STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE